

Permitting and Assistance Branch Staff Report
New Minor Waste Tire Facility Permit for TireCore International, LTD
TPID No. 1605057
November 9, 2011

Background Information, Analysis, and Findings:

This report was developed in response to a Minor Waste Tire Facility Permit (WTFP) application received from the operator of TireCore International, LTD, located at 2130 Technology Place, in the City of Long Beach. TireCore International, LTD, have been operating at the site since 2005. The business operates in a 34,544 square foot building located on approximately 1.14 acres, and within a General Industrial zone.

The operator proposes to store up to 4,999 waste whole truck tires inside of an enclosed building. Approximately 4,500 waste tires are stored for an average of 16 business days before they are sold and shipped to various manufacturing and transportation/fleet businesses. Tires that are not up to standards are separated and stacked in a designated area, and are shipped off-site weekly either by self-haul or by a certified tire hauler.

An application for a Minor WTFP was received by the Permitting and Assistance Branch staff (staff) on April 15, 2011, which was accepted as complete and correct on May 13, 2011. Pursuant to Title 14, California Code of Regulations (14 CCR) Section 18425, CalRecycle has 180 calendar days from the date the application is accepted as complete and correct to either issue or deny the issuance of a Minor WTFP. A request to extend the timelines to process the Minor WTFP until December 31, 2011 was received staff on November 3, 2011 to allow for additional time to review and process an updated plot plan and approvals from the local fire district. Therefore, CalRecycle is required to act by December 31, 2011.

Findings

Staff recommends approval of the issuance of the proposed permit. All of the required submittals and findings required by 14 CCR Section 18431 have been met to support concurrence. The findings that are required to be made by CalRecycle when reaching a determination are summarized in the table below. The documents on which staff's findings are based are permanently maintained in the facility files maintained by the Permitting and Assistance Branch.

The following table summarizes staff's findings relative to the permit application:

	Findings	
California Environmental Quality Act (CEQA)	Staff of the Permitting and Assistance Branch found that the issuance of the Minor Waste Tire Storage Facility Permit is categorically exempt from the requirements of CEQA. See the Environmental Analysis section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance with Tire Storage Standards, 14 CCR, Sections 17350-17356	Staff of the Waste Evaluation and Enforcement Branch (WEEB) conducted an inspection of the facility on October 12, 2011. See additional compliance information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR, Sections 18431(a) (b) (c) (d)	All application forms were accepted by Permitting and Assistance Branch staff as complete on May 13, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR, Section 18431(h)	<i>Local Vector Control:</i> There is no outdoor tire storage; therefore, the facility does not require approval by the local vector control authority. <i>Local Fire Authority:</i> CalRecycle's Indoor "Local Fire Approval Form" was signed by Mr. David Zinnen, Deputy Fire Marshall, with the Long Beach Fire Department, on March 1, 2011. A revised plot plan was approved by the Long Beach Fire Department on November 3, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office	November 16, 2011	
Waste Evaluation and Enforcement Branch	October 12, 2011	

Compliance History:

The Waste Tire Compliance Unit in WEEB conducted an inspection on November 29, 2010, and found the facility to be in violation of Public Resources Code, Section 42824, for storage of more than 4,999 waste tires (approximately 8,000 waste tires were on-site) without a Major WTFP. The facility was ordered to submit a Major WTFP or reduce the waste tire count to less than 499.

A pre-permit inspection was conducted by WEEB staff on January 19, 2011, and found the facility to be in violation of Public Resources Code, Section 42824, for storage of more than 4,999 waste tires (6,913 waste tires were on-site) without a Major WTFP.

On June 6, 2011, CalRecycle issued an Order to Cease and Desist (No. 2011-010990-CAO), which ordered the operator to immediately reduce the total number of waste tires on-site to 4,999 or less by June 6, 2011, and continue to store less than 4,999 waste tires on-site. If the Minor WTFP is denied by CalRecycle, the facility is ordered to immediately reduce the number of tires on-site to no more than 499.

A follow-up inspection was conducted by WEEB staff on June 21, 2011, and found the facility to be in violation of Public Resources Code, Section 42824, for storing more than 4,999 waste tires on-site without a Major WTFP.

A follow-up inspection was conducted by WEEB staff and Permits staff on October 12, 2011, and found the facility to be in compliance with the CAO, as they were storing fewer than 4,999 waste tires on-site, and were in compliance with applicable waste tire storage standards.

Environmental Analysis:

Under CEQA, CalRecycle must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed Minor WTFP before CalRecycle issues that permit. In this case, CalRecycle is a lead agency under CEQA and must make a determination as to whether this proposed permit is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The proposed Minor WTFP is considered to be a project under CEQA, and the facility is required to obtain a WTFP pursuant to 14 CCR, Section 18420, for the indoor storage of up to 4,999 waste tires.

The City of Long Beach General Plan Land Use Element, State Clearinghouse No. 1988101205, was originally circulated for a 30 day review period from October 12, 1988 to November 11, 1988. The General Plan Land Use Element was adopted by the City of Long Beach Planning Commission on 1989. The General Plan Land Use Element has since been revised April 1997.

TireCore International, LTD, has operated as a tire business in the City of Long Beach since 2005. The facility operates within a General Industrial zone, and is consistent with the City of Long Beach's zoning ordinance and General Plan Land Use Element. Staff prepared a Preliminary Review to determine whether a Categorical Exemption is adequate for CalRecycle's approval of this Minor WTFP. The Preliminary Review indicates that the proposed project:

- Involves the continued operation of an existing facility within the permitted land use;
- Involves no expansion of use beyond that existing;
- Does not allow relaxation of standards leading to environmental degradation;
- Would have no significant environmental impacts; and
- There are no additional cumulative environmental impacts.

CalRecycle staff made the finding/determination a Categorical Exemption, 14 CCR, Section 15301 – Existing Facilities is appropriate for CalRecycle's issuance of this proposed Minor WTFP.

Staff recommends that CalRecycle, acting as a lead agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for existing facilities, to be filed with the State Clearinghouse after CalRecycle's issuance of the Minor WTFP, in that the proposed permit is to be issued to an existing facility that will not expand or significantly change its operations from what currently exists. Further, there are no grounds under CEQA for CalRecycle to prepare any additional environmental documents.

Staff further recommends the Categorical Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within

CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed Minor WTFP and all of its components and supporting documentation, this staff report, the Categorical Exemption and other documents and material utilized by CalRecycle in reaching its decision on issuing this permit. The custodian of CalRecycle's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Local Issues

Staff has not identified any local issues related to this item. No environmental justice issues were identified by the surrounding community. According to the year 2010 Census data, census tract 5728 has a total population of 839 people. 32.5% of the people are white, 39.7% are African American, 2.3% are American Indian and Alaska Native, 8.1% are Asian, 1.5% are Native Hawaiian and other Pacific Islander, 8.0% some other race, and 7.9% are two or more races. 19.0% of the population is identified as Hispanic or Latino. The Census tract data indicates the median household income of the area is \$37,778 and with zero families living below the poverty level. Therefore staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended in this item.

Public Comment

Permitting and Assistance Branch staff discussed this proposed Minor WTFP at CalRecycle's Monthly Public Meeting conducted on June 21, 2011. No public comments were received on this project during this meeting and no other public comments have been received by CalRecycle staff.

Attachment: Minor WTFP